

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

AT BECKLEY

NORMAN J. FORD,

Petitioner,

v.

CIVIL ACTION NO. 5:20-cv-00455

D.L. YOUNG,
Warden, FCI Beckley,

Respondent.

ORDER

Pending are Petitioner Norman J. Ford's pro se Petition for Writ of Habeas Corpus under 28 U.S.C. 2241 [Doc. 2], filed July 2, 2020, and Respondent Warden Young's Motion to Dismiss [Doc. 10], filed October 2, 2020. This action was previously referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission of proposed findings and a recommendation ("PF&R"). Magistrate Judge Eifert filed her PF&R on August 10, 2021. Magistrate Judge Eifert recommended that the Court deny Mr. Ford's Section 2241 Petition, grant Warden Young's Motion to Dismiss, dismiss this matter with prejudice, and remove it from the docket.

The Court need not review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140 (1985); *see also* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*") (emphasis added). Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's

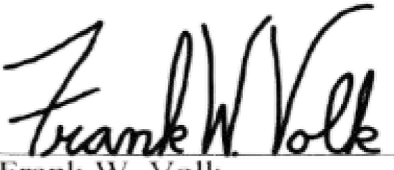
right to appeal the Court's order. *See* 28 U.S.C. § 636(b)(1); *see also United States v. De Leon-Ramirez*, 925 F.3d 177, 181 (4th Cir. 2019) (parties may not typically “appeal a magistrate judge’s findings that were not objected to below, as § 636(b) doesn’t require de novo review absent objection.”); *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989). Further, the Court need not conduct de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections in this case were due on August 21, 2021. No objections were filed.

Accordingly, the Court **ADOPTS** the PF&R [**Doc. 15**], **DENIES** Mr. Ford’s Section 2241 Petition for a Writ of Habeas Corpus [**Doc. 2**], **GRANTS** Warden Young’s Motion to Dismiss [**Doc. 10**], **DISMISSES** this matter **WITH PREJUDICE**, and **REMOVES** the case from the docket.

The Court directs the Clerk to transmit a copy of this Order to any counsel of record and any unrepresented party.

ENTERED: August 31, 2021




Frank W. Volk
United States District Judge